



## **Agenda for Meeting 03-2014**

### **CITY OF ROCKVILLE BOARD OF APPEALS**

W. Thomas Curtis, Chair  
Steven Wilcox  
Peter Mork  
Jeryl O. Gegan, Alternate

**Saturday, March 8, 2014  
at 9:00 a.m.  
Mayor and Council Chambers  
City Hall, 111 Maryland Avenue**

Castor D. Chasten and Margaret Hall, Staff Liaisons

*Board of Appeals Agendas and Staff Reports are available online at:  
<http://www.rockvillemd.gov/AgendaCenter/Board-of-Appeals-7>*

#### **I. EXECUTIVE SESSION**

The Board of Appeals will meet in Executive Session pursuant to Section 10-508(a)(7) of the State Government Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice regarding reconsideration requests.

#### **II. ADOPTION OF DECISION FOR APPROVAL OF RECONSIDERATION**

**[Request for Reconsideration of Special Exception SPX2013-00387](#), 731 W. Montgomery Avenue** - a request by the West End Citizens Association (WECA) that the Board of Appeals reconsider the decision to approve the subject special exception request, which was filed to increase the number of children being cared for from 8 children to 12 children, in the R-60 zone. The Board heard the Special Exception request on July 13, 2013 and adopted a decision for denial on September 14, 2013. The applicant then submitted a request for reconsideration on September 26, 2013, which was granted by the Board on November 9, 2013. At its January 11, 2014, meeting, the Board conducted a hearing on the applicant's reconsideration request and reversed the original decision of denial. This decision was formally adopted on February 8, 2014. Planner: Nicole Walters, 240-314-8215.  
Attachments: [1](#) | [2](#) | [3](#)

NOTE: The purpose of the meeting is for the Board to determine if they will grant or deny the request for reconsideration received on February 21, 2014. The Board may question staff or any party of record present to clarify points raised in the request; otherwise public testimony will not be heard. If the request is granted, a public hearing will be scheduled on the matters to be reconsidered.

### **III. COMMISSION ITEMS**

- A. OLD BUSINESS** - Discussion of ex parte communication and site visit guidelines.
- B. NEW BUSINESS**
- C. MINUTES** – Minutes for Meetings 01-2014 (January 11, 2014) and 02-2014 (February 8, 2014)
- D. ADJOURNMENT**

## **HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**

### **I. GENERAL ORDER OF BOARD OF APPEALS PROCEEDINGS**

1. Board of Appeals Chair Opens Meeting:
  - a. Introduces members of the Board and City Staff present
  - b. Chair describes procedures for the public hearings
2. Staff presentation
3. Applicant presentation
4. Public comment in support of application
5. Public comment in opposition to application
6. Applicant response to comments
7. Public hearing closed
8. Board work session
9. Board decision

### **II. BOARD OF APPEALS BROADCAST SCHEDULE**

- Watch LIVE at 9:00 a.m. on Comcast Cable Rockville Channel 11 and online at [www.rockvillemd.gov](http://www.rockvillemd.gov)
- Video on Demand (within 48 hours of meeting) at: [www.rockvillemd.gov/VideoOnDemand](http://www.rockvillemd.gov/VideoOnDemand)

### **III. FUTURE MEETING DATES**

- April 12, 2014
- May 10, 2014
- June 14, 2014

### **IV. NEW DEVELOPMENT APPLICATIONS**

For a complete list of all applications on file, visit: [www.rockvillemd.gov/DevelopmentWatch](http://www.rockvillemd.gov/DevelopmentWatch)

Maryland law and the Board of Appeals' Rules of Procedure regarding ex parte (extra record) communication require all discussion, review, and consideration of this matter take place only during the Board's consideration of the item at a scheduled meeting. Telephone calls and meetings with Board members in advance of the meeting are not permitted. Written communication will be directed to appropriate staff members for response and included in briefing materials for all members of the Board.